

### **REMARKS**

Claims 1-29 were presented for examination and all claims were rejected. In the present amendment, claims 1-4, 10-14, and 20-24 have been amended. No new matter has been added. Upon entry of this amendment, claims 1-29 will be pending, of which claims 1, 10, 14, 20 and 21 are independent. Applicants submit that claims 1-29 are patentable, as amended, and in condition for allowance.

The following comments address all stated grounds of rejection. Applicants respectfully traverse all rejections and urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

### **EXAMINER INTERVIEW**

Applicants wish to thank the Examiner for taking the time to conduct an interview via telephone with Applicants' representative on June 3, 2009, and for providing the interview summary for the interview. During the interview, the Examiner confirmed that the preliminary amendment filed December 17, 2008 was considered in drafting this Office Action.

### **CLAIM OBJECTIONS**

In the Office Action, claim 13 was objected to for informalities. Claim 13 has been amended herein to address this objection. Accordingly, Applicants respectfully request the Examiner to withdraw the objection to claim 13.

### **CLAIM REJECTIONS UNDER 35 U.S.C. §112**

#### **I. Claims 11-13 Rejected under 35 U.S.C. §112, First Paragraph**

In the Office Action, claims 11-13 were rejected under 35 U.S.C. §112 as failing to comply with the enablement requirement. Specifically, claim 11 recited a determination that no association between the window handle and the requested one of the virtual window name and the virtual window class identifier exists. Applicants have amended claims 11-13 to clarify this, and direct the Examiner to paragraphs 294-295 of the present disclosure, which describe consulting a window mapping table to determine if the handle and the requested information is known, and if it is not known – i.e. does not exist in the mapping table – then the request is

passed to the operating system. Accordingly, Applicants respectfully request the Examiner to withdraw the rejections of claims 11-13 under 35 U.S.C. §112.

## II. Claims 1-13 Rejected under 35 U.S.C. §112, Second Paragraph

In the Office Action, claims 1-13 were rejected under 35 U.S.C. §112 as being indefinite. Specifically, claim 1 recited associating a window handle with the determined window name. Applicants have amended claim 1 to clarify this limitation. Accordingly, Applicants respectfully request the Examiner to withdraw the rejections of claims 1-13 under 35 U.S.C. §112.

## CLAIM REJECTIONS UNDER 35 U.S.C. §101

### III. Claims 14-19 Rejected under 35 U.S.C. §101

Claims 14-19 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claim 14 is an independent claim, amended herein. Claims 15-19 depend on and incorporate all of the patentable subject matter of independent claim 14, as amended. Applicants traverse this rejection and submit that claims 14-19 are directed to statutory subject matter.

Under the “machine-or-transformation” test of *In Re Bilski*, claimed subject matter is patentable under 35 U.S.C. §101 if “(1) it is tied to a particular machine or apparatus, or (2) it transforms a particular article into a different state or thing.” In the Office Action, the Examiner contends that claims 14-19 are drawn to a computer program per se. Applicants respectfully disagree. Claims 14-19 are directed to an apparatus. The apparatus performs various functions as recited by the claim limitations. Thus, the appliance is a particular machine and is statutory. Therefore, these claims meet at least the machine portion of the *Bilski* test and are patent eligible subject matter under 35 U.S.C. §101. Furthermore, even if the recited functions are to be considered a computer program, they are still claimed as part of an otherwise statutory machine. “In such a case, the claim remains statutory irrespective of the fact that a computer program is included in a claim.” (MPEP, 2106, IV.B.2(a)). Therefore, even if these functions are interpreted as a computer program, these claims recite patent eligible subject matter under 35 U.S.C. §101.

For at least the above discussed reasons, Applicants submit that the subject matter of claims 14-19 are directed to statutory subject matter. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 14-19 under 35 U.S.C. §101.

**CLAIM REJECTIONS UNDER 35 U.S.C. §102**

**IV. Claims 10-12 and 20 Rejected under 35 U.S.C. §102**

Claims 10-12 and 20 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,781,720 to Parker *et al.* ("Parker"). Claims 10 and 20 are independent claims, amended herein. Claims 11-12 depend on and incorporate all of the patentable subject matter of independent claim 10. Applicants traverse this rejection and submit that Parker fails to disclose each and every element of the claimed invention, as amended.

**A. Independent claims 10 and 20 not Anticipated by Parker**

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Independent claims 10 and 20 are directed towards methods of virtualizing access to windows. The methods recite a process executing within the context of an isolation scope. The isolation scope is provided by an isolation environment, which comprises a user isolation layer and an application isolation layer. An isolation scope is a modified view of native system resources, specific to the application or user. (*see* specification, para. 66).

Parker fails to disclose an isolation scope provided by an isolation environment comprising an application isolation layer and a user isolation layer. Parker describes a system for testing GUI interfaces with test scripts that can be ported to different operating systems, and is silent regarding user isolation or application isolation. Parker merely translates logical system element names, such as "open", to operating system-specific names, such as "[2:0.1]File Open" for a Macintosh GUI. (*see* Parker, col. 24, lines 20-65). Even if Parker's name abstraction is to be thought of as an isolation environment, at best applications are merely isolated from the OS, not each other. In fact, because of Parker's translation, all applications under test see the same view of native resources. Isolating Parker's application under test from the translator system would result in an inability to perform testing. Thus, Parker does not provide an isolation scope, specific to an application.

Furthermore, Parker is silent regarding multiple users and user isolation. However, even if Parker did have multiple users, the translation system would still mean that all users see the same view of native resources. Thus, Parker does not provide an isolation scope, specific to a user. Therefore, Parker fails to teach or suggest an isolation scope provided by an isolation environment comprising an application isolation layer and a user isolation layer.

Because Parker fails to disclose each and every element of the claimed invention, Applicants submit that independent claims 10 and 20 are patentable, as amended, and in condition for allowance. Claims 11-12 depend on and incorporate all of the patentable subject matter of independent claim 10. Therefore, Applicants submit that claims 11-12 are also patentable and in condition for allowance. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 10-12 and 20 under 35 U.S.C. §102.

### **CLAIM REJECTIONS UNDER 35 U.S.C. §103**

#### **V. Claims 1-9, 13-19, and 21-29 Rejected under 35 U.S.C. §103(a)**

Claims 1-9, 13-17, 19, and 21-29 were rejected as unpatentable over Parker in view of U.S. Patent No. 6,144,377 to Oppermann *et al.* ("Opperman") under 35 U.S.C. §103(a). Claim 18 was rejected as unpatentable over Parker in view of Oppermann and in further view of U.S. Patent No. 5,856,826 to Craycroft ("Craycroft") under 35 U.S.C. §103(a). Claims 2-9 depend on and incorporate all of the patentable subject matter of independent claim 1, amended herein. Claim 13 depends on and incorporates all of the patentable subject matter of independent claim 10, amended herein. Claims 15-19 depend on and incorporate all of the patentable subject matter of independent claim 14, amended herein. Claims 22-29 depend on and incorporate all of the patentable subject matter of independent claim 21, amended herein. Applicants traverse these rejections and submit that Parker, Oppermann, and Craycroft, alone or in combination, fail to teach or suggest each and every feature of the claimed invention, as amended.

#### **A. Independent Claims 1, 10, 14, and 21 Patentable over Parker, Oppermann, and Craycroft**

To establish prima facie obviousness of a claimed invention, each and every claim limitation must be taught or suggested by the prior art. Independent claims 1, 10 and 21 are directed towards methods of virtualizing access to windows and independent claim 14 is directed towards an apparatus for virtualizing access to windows. As amended, these methods and apparatus recite a process executing within the context of an isolation scope. The isolation scope is provided by an isolation environment, which comprises a user isolation layer and an application isolation layer.

Parker, Oppermann, and Craycroft, alone or in combination, fail to teach or suggest an isolation scope provided by an isolation environment comprising an application isolation layer

and a user isolation layer. As discussed above, Parker fails to teach or suggest this feature and instead merely describes translation.

Opperman also fails to describe an isolation environment. The Examiner cites Oppermann to describe using OS function calls to retrieve window names. Oppermann merely describes a system for providing accessibility aid to legacy programs for users with disabilities. Thus, Oppermann neither describes an isolation environment nor an isolation scope.

Craycroft likewise fails to describe an isolation environment. Craycroft merely describes a system for organizing windows into groups by attribute, function, content or any arbitrary characteristic, so that they can be displayed together regardless of layer or priority. In fact, because Craycroft is assigning windows of multiple applications to groups, applications are explicitly grouped rather than isolated from each other. Thus, Craycroft also fails to describe isolation or isolation scopes.

Because Parker, Opperman, and Craycroft fail to teach or suggest an isolation scope provided by an isolation environment comprising an application isolation layer and a user isolation layer, Applicants submit that independent claims 1, 14, and 21 are patentable and in condition for allowance, as amended. Furthermore, Applicants submit that these references fail to detract from the patentability of independent claim 10, as amended and discussed above in combination with the rejection under 35 U.S.C. §102. Claims 2-9 depend on and incorporate all of the patentable subject matter of independent claim 1, as amended. Claim 13 depends on and incorporates all of the patentable subject matter of independent claim 10, as amended. Claims 15-19 depend on and incorporate all of the patentable subject matter of independent claim 14, as amended. Claims 22-29 depend on and incorporate all of the patentable subject matter of independent claim 21, as amended. Therefore, Applicants submit that claims 2-9, 13, 15-19, and 22-29 are also patentable and in condition for allowance. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 1-9, 13-19 and 22-29 under 35 U.S.C. §103.

### **CONCLUSION**

In light of the aforementioned arguments, Applicants contend that each of the Examiner's rejections has been adequately addressed and all of the pending claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at the telephone number identified below.

Respectfully submitted,

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